IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 781 OF 2003

IN

SUMMARY SUIT NO. 426 OF 2000

M/s. Mettle Financial Services P.ltd .....**Plffs.**
vs.
Nelcon Ltd and ors. .....**Defnds.**

Mr.Tushar Bhavsar i/b. Mohit Gadkari,
for the plaintiffs.
Mr.P.G. Rao, Dy.O.L. present
for defendant no.1.

CORAM: S.U. KAMDAR, J.

DATE : 15th September, 2005.

P.C. :.

1. In so far as defendant no.1 is concerned learned counsel for the plaintiff states that in view of the fact that the company has gone into liquidation the plaintiff will lodge the claim with the Official Liquidator. In so far as the second defendant is concerned, the second defendant is

sued in his capacity as a drawer of the bill of exchange and third defendant is sued in his capacity as a guarantor. The Summons for judgment is served on defendant no.2 and 3. Affidavit of service dated 14/9/05 is taken on record. By an order dated 14/9/05 I directed the office to issue notice to M/s. B. Amin and Company who is appearing for defendant no.2 and 3. Accordingly notice was issued. However inspite of notice none appeared. In that view of the matter Summons for Judgment made absolute against defendant nos.2 and 3. Decree as prayed.

. Both Summons for judgment as well as suit disposed off accordingly.

sd/-

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